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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Elimination of racism, racial discrimination, xenophobia and related intolerance

Responsibility of States for internationally wrongful acts

Letter dated 29 March 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I have the honour to transmit herewith the press release of the Ministry of Foreign Affairs of the Republic of Azerbaijan regarding a Field Assessment Mission to the occupied territories of the Republic of Azerbaijan conducted by the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe from 7 to 12 October 2010 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 34, 39, 66 and 75, and of the Security Council.

(*Signed*) Agshin **Mehdiyev**
Ambassador
Permanent Representative

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Annex to the letter dated 29 March 2011 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Press release of the Ministry of Foreign Affairs of the Republic of Azerbaijan

Upon the request of the Republic of Azerbaijan, concerned about continued illegal activities perpetrated by the Republic of Armenia in the occupied territories of Azerbaijan, including the illegal settlement practices, economic exploitation and devastation of these territories, the Co-Chairs of the Minsk Group of the Organization for Security and Cooperation in Europe (OSCE) conducted a Field Assessment Mission to the occupied territories of Azerbaijan surrounding its Nagorno-Karabakh region from 7 to 12 October 2010 with the aim of assessing the overall situation there.

The Co-Chairs were joined by the Personal Representative of the OSCE Chairman-in-Office and his team, two experts from the Office of the United Nations High Commissioner for Refugees and one member of the 2005 OSCE Minsk Group Fact-Finding Mission.

The Mission revealed once again the continuation of the policy of illegal settlement by the ethnic Armenians in the occupied territories of Azerbaijan as well as infrastructure changes and economic activities conducted in these territories in violation of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and its additional protocols, to which Armenia has been a party since 1993.

According to the visual appraisal and information provided by the locals, the number of illegal Armenian settlers in the occupied seven districts of Azerbaijan is roughly estimated by the Mission to be 14,000 persons. Some of these settlers live in rehabilitated or newly constructed housing. According to the observations of the Mission, a number of administrative, educational and medical buildings visited by the Mission in the occupied territories were constructed and/or equipped with the outside financial support of Armenian diaspora.

With regard to infrastructure changes, the Mission's assessment finds that efforts have been made to develop infrastructure, especially to supply electricity and drinking water. All except the most remote settlements visited by the Mission were supplied with electricity. In the Sabukhchai river valley north of Lachin city, a 2.2 MW hydroelectric power station was observed. It is part of a plan to construct 25 such microhydroelectric stations. Several settlements feature small gas pipelines to provide heating, which residents noted had been installed within the past five years. In contrast to 2005, mobile phone connectivity is possible in most regions visited by the Mission.

It has also been observed by the Mission that the administrative boundaries of the occupied territories have been extensively redrawn. This redrawing of the boundaries has involved both the renaming of some districts and the reassigning of lands that were in the occupied territories. Furthermore, Armenians change the historical names of Azerbaijani sites and settlements, applying their names to them.

Thus, the name of the city of Agdam, which had as many as 70,000 inhabitants prior to the conflict, is not even mentioned in the Armenian maps or road signs.

A matter of specific concern is the Mission's conclusion that the potential for future returns by those currently displaced in other parts of Azerbaijan is greatly complicated not only by the continued occupation of the territories but also by the ruined state of these regions. Nearly all private and commercial property of former inhabitants has been destroyed. The regions do not offer conditions suitable for return. Any significant return of the original population would have to be preceded by the large-scale rebuilding of housing and basic infrastructure.

It should be noted that the time pressure, limited number of personnel and movement hindrances have prevented the Mission from making a more comprehensive assessment and profound analysis of the situation in the occupied territories. However, the existing facts on the ground were so outrageous and grave that even with the problems that the Mission faced during its visit, the findings of the Mission provided in the report have been unavoidable.

The Mission's findings reconfirmed the validity of the concern of Azerbaijan over the continuation of illegal activities in its occupied territories. Its observations confirmed once again the attempts of Armenia to consolidate the current status quo of the occupation, which violate fundamental norms and principles, in particular the principle of the non-use of force.

These findings and observations were noted by the Co-Chairs in 2005, when they appealed in their recommendations that "any further settlement of the occupied territories should be discouraged" and "prolonged continuation of this situation could lead to a fait accompli that would seriously complicate the peace process". The Co-Chairs express the same concern and repeat the same appeal in their current recommendations. Alas, over the past six years Armenia has not followed the Co-Chairs' appeal, continuing to disregard the principles of the conflict settlement.

Azerbaijan draws attention to the major statement of the Mission that the status quo in the occupied territories is unacceptable and urges Armenia to put an end to its continuing illegal practices in the occupied territories of Azerbaijan. Azerbaijan wants to make it clear that the continuous policy of Armenia in this direction shall not be tolerated.

The presence of illegal settlers in the occupied territories of Azerbaijan hampers the ongoing negotiations and seriously undermines the prospects of achieving a lasting solution to the conflict. That is why this problem needs to be addressed in a prompt and proper manner.

A durable solution to the conflict can be achieved only through the return of all the forcibly expelled Azerbaijani population from the occupied territories to its places of origin. The current situation in the occupied territories cannot be presented as any kind of pretext for any delay in the withdrawal of the Armenian armed forces from these territories and their rehabilitation.

Azerbaijan supports the Co-Chairs' appeal to avoid any activities in the occupied territories that would change the demographic, social or cultural character of areas affected by the conflict (such as continued illegal settlement, infrastructure developments, economic exploitation, cultural changes, etc.), or that would make it impossible to reverse the status quo and achieve a peaceful settlement.

The Field Assessment Mission of the Co-Chairs of the OSCE Minsk Group and the Co-Chairs' recommendations lay a foundation for the further review and resolution of this problem. Azerbaijan believes in the strong support of the international community on putting an end to the occupation of its territories. Azerbaijan agrees with the worldwide understanding that the withdrawal of Armenian troops from the occupied lands and the restoration of its territorial integrity will strongly diminish serious risks and challenges that exist in the region and will open the door not only for peaceful coexistence, but also for the development and prosperity of everyone.